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6 Attorneys for Defendant
United HealthCare Insurance Company
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 FOREST AMBULATORY SURGICAL
ASSOCIATES, L.P., doing business as
12 FOREST SURGERY CENTER,
Plaintiff,
13

14 v.

15 UNITED HEALTHCARE INSURANCE
COMPANY, et al.,
16 Defendant.
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Case No. 10-CV-04911 EJD

**STIPULATION AND
[PROPOSED] ORDER TO
EXTEND TIME TO ANSWER
OR OTHERWISE RESPOND TO
SECOND AMENDED
COMPLAINT**

(Local Rule 6-1(b))

(Santa Clara Superior
Court Number: 110CV183843)

1 Plaintiff Forest Ambulatory Surgical Associates, L.P. ("Plaintiff") and Defendant
2 United HealthCare Insurance Company ("United") hereby submit, through their undersigned
3 counsel of record, the following Stipulation and Proposed Order to extend the time for United
4 to move, answer or otherwise respond to the Second Amended Complaint by 60 days to
5 December 16, 2011.

6 **WHEREAS** Plaintiff filed a Second Amended Complaint in this action on September
7 30, 2011;

8 **WHEREAS**, the deadline for United to move, answer or otherwise respond to
9 Plaintiff's Second Amended Complaint currently is October 17, 2011;

10 **WHEREAS** Plaintiff's Second Amended Complaint contains over 100 pages of new
11 allegations, includes four new causes of action, and names 127 new defendants;

12 **WHEREAS** the newly-added defendants have not yet been served with the Second
13 Amended Complaint;

14 **WHEREAS** United needs additional time to, among other things, investigate the new
15 matters asserted in the Second Amended Complaint and prepare a responsive motion or
16 answer;

17 **WHEREAS** at this juncture, United contemplates that it will file a motion to dismiss
18 under FRCP 12(b)(6);

19 **WHEREAS** there have been no prior extensions to respond to the Second Amended
20 Complaint;

21 **WHEREAS** no party will be prejudiced by extending the time for United to move,
22 answer or otherwise respond to the Second Amended Complaint;

23 **WHEREAS** Plaintiff and United agree it is in the best interest of both sides to extend
24 the time for United to move, answer or otherwise respond to the Second Amended Complaint.

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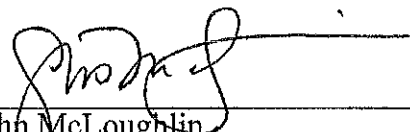
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1 **NOW, THEREFORE**, Plaintiff and United stipulate pursuant to Local Rule 6-1(b) of
2 the Local Rules of the United States District Court for the Northern District of California to
3 extend the time within which United may answer or otherwise respond to the Second
4 Amended Complaint by sixty (60) days until December 16, 2011. This extension will not
5 alter the date of any event or deadline already affixed by Court order.

6
7 IT IS SO STIPULATED.

8 Dated: October 13, 2011

HOOPER LUNDY & BOOKMAN

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10
11 By: 
12 John McLoughlin

13 Attorneys for Plaintiff,
14 Forest Ambulatory Surgical Associates,
15 L.P.

16 Dated: October 13, 2011

WALRAVEN & LEHMAN LLP

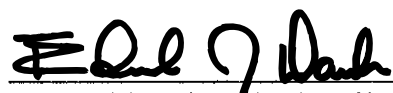
17 By: 
18 Bryan S. Westerfeld

19 Attorneys for Defendant
20 United Healthcare Insurance Company

21 **ABSENT EXTRAORDINARY CIRCUMSTANCES, NO FURTHER EXTENSIONS
22 WILL BE GRANTED.**

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

24 Dated: October 14, 2011

25 
26 Honorable Edward J. Davila
27 United States District Judge
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